

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF PENNSYLVANIA**

MICHAEL ATWELL,	:	CIVIL ACTION NO. 1:10-CV-1271
	:	
Plaintiff	:	(Judge Conner)
	:	
v.	:	
	:	
SPX COOLING TECHNOLOGIES, INC.,	:	
	:	
Defendant	:	

ORDER

AND NOW, this 13th day of July, 2011, upon consideration of the affidavits of costs and fees (Doc. 41) filed by defendant SPX Cooling Technologies, Inc. (“SPX”), on June 21, 2011, in response to the memorandum and order of the court dated June 6, 2011 (Doc. 39), granting costs and fees to SPX incurred as a result of plaintiff Michael Atwell’s (“Atwell”) discovery violations, but deferring calculation of a dollar figure pending receipt of said affidavits, and it appearing that SPX failed to provide any information on the experience and background of counsel providing the legal work forming the basis for the costs and fees, and it further appearing that SPX provided only a summary of costs and fees, but not the underlying billing memorandum for the legal work performed, (see Doc. 41, Ex. A ¶¶ 7-8 & n.1), and upon further consideration of the objections to the asserted costs and fees (Doc. 42) filed by counsel for Atwell, wherein counsel objects to many of SPX’s time entries and asserts that “the entries are not specific enough to address the reasonableness thereof,” (Doc. 42, at 3), and the court concluding that in order to assess the

reasonableness of SPX's asserted costs and fees, both the court and counsel for Atwell need to review the detailed billing memorandum, it is hereby ORDERED that:

1. On or before July 22, 2011, SPX shall submit to the court and counsel for Atwell the billing memorandum in the above-captioned matter as well as an affidavit regarding the experience and background of the attorneys who provided the legal services for the claimed costs and fees.
2. SPX may redact any privileged information contained in the billing memorandum and submit a privilege log so describing the privilege asserted.
3. Should SPX submit a redacted version of the billing memorandum, SPX shall also file under seal with the court an un-redacted version.
4. On or before July 29, 2011, counsel for plaintiff may submit supplemental objections to the costs and fees asserted by SPX.

S/ Christopher C. Conner
CHRISTOPHER C. CONNER
United States District Judge